

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE: PORK ANTITRUST
LITIGATION

0:21-md-02998-JRT-HB

MDL No. 2998

This document relates to:

ALL CASES

STIPULATION REGARDING PROPOSED ESI PROTOCOL

The undersigned parties (“Parties”) in the above-captioned MDL proceeding stipulate and hereby request the Court to enter the proposed Order Regarding Production of Electronically Stored Information and Paper Documents (“ESI Protocol”), filed contemporaneously herewith. The proposed ESI Protocol is largely unchanged (there are a few agreed upon revisions) to the Order Regarding Production of Electronically Stored Information and Paper Documents entered in *In re Pork Antitrust Litigation*, Civil No. 18-cv-1776 (JRT/HB). *See* ECF No. 292 (Feb. 20, 2019). The Parties will submit a Word version of the proposed ESI Protocol to the Court by email to chambers.

Dated: August 2, 2021

Respectfully submitted,

/s/ Eric R. Lifvendahl

Eric R. Lifvendahl

L&G LAW GROUP, LLP

Eric R. Lifvendahl

Ryan F. Manion

175 W. Jackson Blvd., Suite 950

Chicago, Illinois 60604

Telephone: (312) 364-2500

Email: elifvendahl@lgcounsel.com

Email: rmanion@lgcounsel.com

KAPLAN FOX & KILSHEIMER, LLP

Robert N. Kaplan

Matthew P. McCahill

Jason A. Uris

850 Third Avenue, 14th Floor

New York, New York 10022

Telephone: (212) 687-1980

Email: rkaplan@kaplanfox.com

Email: mmccahill@kaplanfox.com

Email: juris@kaplanfox.com

THE COFFMAN LAW FIRM

Richard L. Coffman

3355 W. Alabama Street, Suite 240

Houston, Texas 77098

Telephone: (713) 528-6700

Email: rcoffman@coffmanlawfirm.com

*Counsel for MDL Direct Action Plaintiffs
Action Meat Distributors, Inc., Topco
Associates, LLC, Alex Lee, Inc. and
Merchants Distributors, LLC, Associated
Food Stores, Inc., Brookshire Grocery
Company, Certco, Inc., Colorado Boxed
Beef Co., The Golub Corporation,
Nicholas & Co., Inc., PFD Enterprises,
Inc., SpartanNash Company, Springfield
Grocer Company, The Distribution Group
d/b/a Van Eerden Foodservice Co., Troyer
Foods, Inc., and URM Stores, Inc.*

/s/ Michael S. Mitchell

Scott E. Gant

Michael S. Mitchell

BOIES SCHILLER FLEXNER LLP

1401 New York Ave., NW

Washington, DC 20005

Tel: 202-237-2727

Fax: 202-237-6131

Email: sgant@bsfllp.com

Email: mmitchell@bsfllp.com

Colleen Harrison

BOIES SCHILLER FLEXNER LLP

333 Main Street

Armonk, NY 10504

Tel: 914-749-8204

Fax: 914-749-8300

Email: charrison@bsfllp.com

*Counsel for Plaintiffs Sysco Corporation,
and Amory Investments LLC*

/s/ David B. Esau

David B. Esau

Email: desau@carltonfields.com

Kristin A. Gore

Email: kgore@carltonfields.com

Garth T. Yearick

Email: gyearick@carltonfields.com

CARLTON FIELDS, P.A.

525 Okeechobee Boulevard, Suite 1200

West Palm Beach, Florida 33401

Tel: (561) 659-7070

Fax: (561) 659-7368

*Counsel for Plaintiffs Cheney Brothers,
Inc. and Subway Protein Litigation Corp.,
as litigation trustee of the Subway®
Protein Litigation Trust*

s/ David C. Eddy _____

David C. Eddy

Dennis J. Lynch

Travis C. Wheeler

Chase C. Keibler

NEXSEN PRUET LLC

1230 Main Street, Suite 700

Columbia, SC 29201

Telephone: (803) 771-8900

Facsimile: (803) 253-8277

deddy@nexsenpruet.com

dlynch@nexsenpruet.com

twheeler@nexsenpruet.com

ckeibler@nexsenpruet.com

Counsel for Plaintiffs Nestlé Purina

PetCare Company and Nestlé USA, Inc.

\s\ Mark L. Johnson

Mark L. Johnson (#0345520)
Virginia R. McCalmont (#0399496)
GRENNESPEL PLLP
222 South Ninth Street, Suite 2200
Minneapolis, MN 55402
T. 612.373.0930
mjohnson@greennespel.com
vmccalmonst@greennespel.com

Daniel Laytin, P.C. (*pro hac vice*)
Christa Cottrell, P.C. (*pro hac vice*)
Christina Briesacher (*pro hac vice*)
KIRKLAND & ELLIS LLP
300 North LaSalle
Chicago, IL 60654
T. 312.861.2000
daniel.laytin@kirkland.com
christa.cottrell@kirkland.com
christina.briesacher@kirkland.com

*Counsel for Clemens Food Group, LLC
and The Clemens Family Corporation*

\s\ Richard A. Duncan

Richard A. Duncan (#0192983)
Aaron D. Van Oort (#0315539)
Craig S. Coleman (#0325491)
Emily E. Chow (#0388238)
Isaac B. Hall (#0395398)
Bryan K. Washburn (#0397733)
**FAEGRE DRINKER BIDDLE &
REATH LLP**
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402
T. 612.766.7000
richard.duncan@faegredrinker.com
aaron.vanoort@faegredrinker.com
craig.coleman@faegredrinker.com
emily.chow@faegredrinker.com
isaac.hall@faegredrinker.com
bryan.washburn@faegredrinker.com

*Counsel for Hormel Foods Corporation
and Hormel Foods, LLC*

\s\Donald G. Heeman

Donald G. Heeman (#0286023)

Jessica J. Nelson (#0347358)

Randi J. Winter (#0391354)

SPENCER FANE LLP

100 South Fifth Street, Suite 2500

Minneapolis, MN 55402

T. 612.268.7000

dheeman@spencerfane.com

jnelson@spencerfane.com

rwinter@spencerfane.com

Stephen R. Neuwirth (*pro hac vice*)

Michael B. Carlinsky (*pro hac vice*)

Sami H. Rashid (*pro hac vice*)

Richard T. Vargas (*pro hac vice*)

David B. Adler (*pro hac vice*)

**QUINN EMANUEL URQUHART &
SULLIVAN, LLP**

51 Madison Avenue, 22nd Floor

New York, NY 10010

T. 202.849.7000

stephenneuwirth@quinnemanuel.com

michaelcarlinsky@quinnemanuel.com

samirashid@quinnemanuel.com

richardvargas@quinnemanuel.com

davidadler@quinnemanuel.com

Counsel for JBS USA Food Company

\s\ William L. Greene

William L. Greene (#0198730)

Peter J. Schwingler (#0388909)

STINSON LLP

50 South Sixth Street, Suite 2600

Minneapolis, MN 55402

T. 612.335.1500

william.greene@stinson.com

peter.schwingler@stinson.com

J. Nicci Warr (*pro hac vice*)

STINSON LLP

7700 Forsyth Blvd., Suite 1100

St. Louis, MO 63105

T. 314.863.0800

nicci.warr@stinson.com

Counsel for Seaboard Foods LLC

\s\ John A. Cotter

John A. Cotter (#0134296)

John A. Kvinge (#0392903)

**LARKIN HOFFMAN DALY &
LINDGREN LTD.**

8300 Norman Center Drive, Suite 1000

Minneapolis, MN 55427

T. 952.835.3800

jcotter@larkinhoffman.com

jkvinge@larkinhoffman.com

Richard Parker (*pro hac vice*)

Josh Lipton (*pro hac vice*)

**GIBSON, DUNN & CRUTCHER,
LLP**

1050 Connecticut Avenue, NW

Washington, DC 20036

T. 202.955.8500

rparker@gibsondunn.com

jlipton@gibsondunn.com

Brian Robison (*pro hac vice*)

**GIBSON, DUNN & CRUTCHER,
LLP**

2001 Ross Avenue, Suite 2100

Dallas, TX 75201

T. 214.698.3370

brobison@gibsondunn.com

Counsel for Smithfield Foods, Inc.

\s\ Aaron Chapin

Aaron Chapin (#6292540)

HUSCH BLACKWELL LLP

120 South Riverside Plaza, Suite 2200

Chicago, IL 60606

T. 312.655.1500

aaron.chapin@huschblackwell.com

Christopher A. Smith (*pro hac vice*)

Jason Husgen (*pro hac vice*)

HUSCH BLACKWELL LLP

190 Carondelet Plaza, Suite 600

St. Louis, MO 63105

T. 314.480.1500

chris.smith@huschblackwell.com

jason.husgen@huschblackwell.com

Tessa K. Jacob (*pro hac vice*)

HUSCH BLACKWELL LLP

4801 Main Street, Suite 1000

Kansas City, MO 64112

T. 816.983.8000

tessa.jacob@huschblackwell.com

Counsel for Triumph Foods, LLC

\s\ Tiffany Rider Rohrbaugh

Tiffany Rider Rohrbaugh (*pro hac vice*)

Rachel J. Adcox (*pro hac vice*)

Lindsey Strang Aberg

**AXINN, VELTROP & HARKRIDER
LLP**

1901 L. Street NW

Washington, DC 20036

T. 202.912.4700

trider@axinn.com

radcox@axinn.com

lstrang@axinn.com

Jarod Taylor (*pro hac vice*)

**AXINN, VELTROP & HARKRIDER
LLP**

90 State House Square

Hartford, CT 06103

T. 860.275.8109

jtaylor@axinn.com

David P. Graham

DYKEMA GOSSETT PLLC

90 S 7th Street, FL 2

Minneapolis, MN 55402

T. 612.486.1521

dgraham@dykema.com

*Counsel for Tyson Foods, Inc., Tyson
Fresh Meats, Inc., and Tyson Prepared
Foods, Inc.*

\s\ Peter H. Walsh

Peter H. Walsh (#0388672)

HOGAN LOVELLS US LLP

80 South Eighth Street, Suite 1225

Minneapolis, MN 55402

T. 612.402.3000

peter.walsh@hoganlovells.com

William L. Monts (*pro hac vice*)

Justin W. Bernick (*pro hac vice*)

HOGAN LOVELLS US LLP

Columbia Square

555 Thirteenth Street, NW

Washington, DC 20004

T. 202.637.5600

william.monts@hoganlovells.com

justin.bernick@hoganlovells.com

Counsel for Agri Stats, Inc.